
Please Direct All Correspondence to Customer Number 20995

STATEMENT UNDER 37 CFR § 1.104(e)(4)

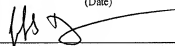
Applicant : Jeffrey A. Bibbs, et al.
App. No. : 10/527,430
Filed : March 9, 2005
For : CALCIUM CHANNEL BLOCKERS
Examiner : Betton, Timothy E.
Art Unit : 1617
Conf No. : 5428

**CERTIFICATE OF EFS WEB
TRANSMISSION**

I hereby certify that this correspondence, and any other attachment noted on the automated Acknowledgement Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web server on:

May 5, 2010

(Date)



Jeffrey J. Tung, Reg. No. 59,407

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement by Applicant

The Applicant of the above-identified application hereby states that the subject matter of U.S. Patent No. 6,852,742 to Pullela et al., assigned to Vittal Mallya Scientific Research Foundation, and the claimed invention of the above-identified application, assigned to Diakron Pharmaceuticals, Inc., were made by or on behalf of parties to a joint research agreement between the above-identified assignees under 35 U.S.C. § 103(c)(3) that was in effect on or before the date the claimed invention was made, and that the claimed invention was made as a result of activities undertaken within the scope of the joint research agreement.

Empowerment of Attorney

Pursuant to 37 CFR § 1.321(b), the undersigned attorney of record is empowered to act on behalf of the Assignee by virtue of a Power of Attorney.

Please Direct All Correspondence to Customer Number 20995

It is believed that no fee is required to be accompanied with this Statement under 37 CFR § 1.104(c)(4). However, the Commissioner is hereby authorized to charge any deficient fee applicable to small entity status to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR LLP



Date: May 5, 2010

Jeffrey J. Tung
Registration No. 59,407
Attorney of Record
Customer No. 20995
(949) 760-0404